

**CASE NOTE:
THE NETHERLANDS**

CASE CITATION:
LJN BX0218

NAME AND LEVEL OF THE COURT:
Utrecht District Court

DATE OF DECISION:
15 June 2012

*Evidence; data obtained from interception of
an IP address; use in legal proceedings*

This case dealt with the commission of a robbery and the preparation of an ATM bombing. For a period of almost one month, the IP-connection of one of the co-accused was intercepted. What emerged was that the user(s) of the IP address looked at or gathered information on (amongst other things, the locations of) banks, ATMs, jewellers, shops, casino's, car dealers and auctioneering firms that were not connected to historical robberies or burglaries. There were also active searches for advertisements of gas cylinders offered for sale. Comparing these searches to the use of a chat application (via an e-mail address being used by the accused) at certain times the internet search behaviour can be ascribed to the accused.

The accused is convicted and sentenced for complicity in the preparation of theft aggravated by violence or, alternatively, extortion committed in association with one or more persons, and complicity in the preparation of an ATM bombing to eighteen months' imprisonment less the period spent in pre-trial detention.

This case report is by courtesy of the **Expertise Centre on Cybercrime**, and was first published in *Vertaalde Nieuwsbrief*, 2012, nr 3 (translated version)